

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE: VALSARTAN PRODUCTS
LIABILITY LITIGATION

CIVIL ACTION NUMBER:
19-md-02875-RBK-JS

TELEPHONIC STATUS
CONFERENCE

Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101
June 22, 2020
Commencing at 4:00 p.m.

B E F O R E: **THE HONORABLE JOEL SCHNEIDER,**
UNITED STATES MAGISTRATE JUDGE

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Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription.

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1 (PROCEEDINGS held via teleconference before The Honorable Joel
2 Schneider, United States Magistrate Judge, at 4:00 p.m.)

3 THE COURT: We are on the record in the matter of the
4 Valsartan MDL, Docket 19-2875.

5 There are 30-some odd people on the phone, so we
6 don't need to get the entries of appearance for everyone
7 unless they want to put their names on the record, but why
8 don't we just get the names of lead counsel for the plaintiffs
9 and defendants who are expected to speak, and if anyone else
10 is going to speak during this call, please announce your name
11 before you talk so our very competent court reporter can take
12 down your name.

13 Starting with the plaintiffs, do we have any entries?

14 MR. SLATER: Hello, your Honor. Adam Slater for
15 plaintiffs.

16 MR. HONIK: Good afternoon, your Honor. Ruben Honik
17 for plaintiffs.

18 MS. WHITELEY: Good afternoon, your Honor. Conlee
19 Whiteley for plaintiffs.

20 MR. NIGH: And Daniel Nigh for plaintiffs.

21 THE COURT: And defendants?

22 MR. GOLDBERG: Good afternoon, your Honor. This is
23 Seth Goldberg for the ZHP parties and defendants.

24 MR. TRISCHLER: Good afternoon, your Honor. Clem
25 Trischler for the Mylan defendants.

1 THE COURT: Does anyone else want to enter their
2 appearance?

3 MS. HEINZ: Good afternoon, your Honor. This is
4 Jessica Heinz for the Aurobindo defendants.

5 THE COURT: Okay. The purpose of today's call is to
6 finalize the search term dispute. I'm delighted to get the
7 orders from ZHP and Mylan, which will be signed and entered.

8 Why don't we just go down the parties who my notes
9 indicate we had some open issues with.

10 The first one is Torrent. Plaintiff, what's the
11 status of that?

12 MR. PAREKH: Good afternoon, Your Honor. This is
13 Behram Parekh.

14 We can actually tell your Honor that with all of the
15 remaining parties, we have now reached a resolution in
16 principle, and all we're working on right now is just dotting
17 "i"s and crossing "t"s with regard to the text of the proposed
18 order and some, you know, nitpicks on how -- a couple of
19 terms, whether or not the way that we modified them is going
20 to run correctly. But we should be able to submit all of the
21 orders to your Honor probably by Wednesday as to all parties.

22 THE COURT: Terrific. I'm delighted to hear that,
23 counsel.

24 So why don't you get those orders to the Court by
25 Wednesday. I'll enter them. I'll indicate -- well, you know

1 all present scheduling deadlines remain in place.

2 I reviewed the transcript before this call. It looks
3 like we were going to put off until Wednesday any discussion
4 of any open issues regarding the sales and pricing documents.
5 I'm happy to do that, with the proviso that we save the end of
6 I think July to finalize that. But if there is anything that
7 will help advance the ball and you want to raise it for
8 Wednesday's call, we'll be happy to address it.

9 Are there any other issues that we need to address
10 for this call?

11 MR. GOLDBERG: Your Honor, this is Seth Goldberg.

12 I just want to make sure I understand. For
13 Wednesday, we have two calls on the schedule. We have the
14 10:00 call with your Honor and a 2:00 call with Judge Kugler.
15 Are both calls still going forward on Wednesday?

16 THE COURT: Well, you tell me if I'm wrong, but I do
17 not anticipate a heavy agenda for Wednesday. I could be
18 wrong, but I don't think it's going to be. So I can alert
19 Judge Kugler -- we can touch base at 10:00, and I can alert
20 Judge Kugler that we're not going to be long, so if we need to
21 get him on the line at whatever time, 10:30 or 11, rather than
22 everybody waiting around and getting the schedules mixed up, I
23 think it would make more sense if we just continue and do one
24 call instead of two, but I still think we should go ahead on
25 Wednesday.

1 Does anyone anticipate a heavy agenda for Wednesday?

2 MR. SLATER: From the plaintiffs' perspective, I
3 don't think so, unless I'm missing something and I can be
4 corrected.

5 MR. GOLDBERG: And I think the same is for
6 defendants. I think there is maybe a few plaintiff fact
7 sheets that are, you know, subject to the show cause process,
8 and to the extent your Honor wants to talk about sales and
9 pricing, but those are the only issues that I can think of.
10 And I don't think anything is ripe for resolution by Judge
11 Kugler.

12 THE COURT: Okay. So why don't we just do this. Why
13 don't we touch base on Wednesday. It could be a very short
14 call. I'll alert Judge Kugler that we may not even need him,
15 unless he wants to touch base with the parties. I'll leave it
16 up to him.

17 But let's plan on having one short call on Wednesday
18 morning. Okay?

19 MR. SLATER: That's great.

20 MR. GOLDBERG: Sounds good, your Honor.

21 THE COURT: All right. Nothing else on this end,
22 counsel. Anything else on your end?

23 MR. GOLDBERG: Nothing for defendants.

24 MS. SLATER: Nothing for plaintiffs, I don't think.

25 THE COURT: Good to hear. I hope everybody stays

1 safe, and we're adjourned.

2 MR. SLATER: Thank you very much, your Honor.

3 MR. GOLDBERG: Thank you, Judge.

4 (The proceedings concluded at 4:08 p.m.)

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8 I certify that the foregoing is a correct transcript
9 from the record of proceedings in the above-entitled matter.

10

11 /S/ Carol Farrell, NJ-CRCR, FCRR, RDR, CRR, RMR, CRC, CRI
12 Court Reporter/Transcriber

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14 June 22, 2020
15 Date

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